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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/751,826	12/29/2000	Shigeru Mizoguchi	1232-4393US1	8826	
759	90 05/14/2004		EXAMI	EXAMINER	
MORGAN & FINNEGAN, L.L.P.			BRINICH, STEPHEN M		
345 Park Avenu New York, NY	:=		ART UNIT	PAPER NUMBER	
			2624	111	
			DATE MAILED: 05/14/2004	14	

Please find below and/or attached an Office communication concerning this application or proceeding.



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PATENT IN REEXAMINATION

ATTORNEY DOCKET NO.

EXAMINER

ART UNIT PAPER

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Commissioner for Patents

•	Application No.	Applicant(s)				
	09/751,826	MIZOGUCHI ET AL.				
Office Action Summary	Examiner	Art Unit				
	Stephen M Brinich	2624				
The MAILING DATE of this communication appeared for Reply	opears on the cover sheet w	ith the correspondence address				
A SHORTENED STATUTORY PERIOD FOR REPITHE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR 1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a re - If NO period for reply is specified above, the maximum statutory perior - Failure to reply within the set or extended period for reply will, by statu Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	. 136(a). In no event, however, may a ply within the statutory minimum of third will apply and will expire SIX (6) MON tte, cause the application to become Al	reply be timely filed ty (30) days will be considered timely. NTHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).				
Status						
1)⊠ Responsive to communication(s) filed on 23	February 2004.					
2a) This action is FINAL . 2b) ☐ Th	is action is non-final.					
3) Since this application is in condition for allow	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under	Ex parte Quayle, 1935 C.D.	D. 11, 453 O.G. 213.				
Disposition of Claims						
4) ☐ Claim(s) 41,44 and 60-80 is/are pending in the 4a) Of the above claim(s) is/are withdress 5) ☐ Claim(s) 41,44,60-76,79 and 80 is/are allowers 6) ☐ Claim(s) 77 and 78 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and/	awn from consideration. ed.					
Application Papers						
9)☐ The specification is objected to by the Examin	ner.					
10)☐ The drawing(s) filed on is/are: a)☐ ac	cepted or b) objected to	by the Examiner.				
Applicant may not request that any objection to the	• • • • • • • • • • • • • • • • • • • •	, <i>,</i>				
Replacement drawing sheet(s) including the corre 11) The oath or declaration is objected to by the E	•					
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreig a) All b) Some * c) None of: 1. Certified copies of the priority documer 2. Certified copies of the priority documer 3. Copies of the certified copies of the priority application from the International Burea * See the attached detailed Office action for a list	nts have been received. nts have been received in A ority documents have been au (PCT Rule 17.2(a)).	Application No received in this National Stage				
Attachment(s)						
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08 Paper No(s)/Mail Date 	Paper No(Summary (PTO-413) s)/Mail Date nformal Patent Application (PTO-152) 				

Page 2

Application/Control Number: 09/751,826

Art Unit: 2624

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 77-78 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshida.

Re claims 77-78, Yoshida discloses (column 6, lines 43-54) an image reading device in which an interchangeable element has been supplied with individual white balance data (inherently written to the element during manufacture, and thus specifically identified with the device), which is read out from the interchangeable element and used to set a white balance reference correction.

Allowable Subject Matter

3. The following is an examiner's statement of reasons for allowance:

Re claim 44, 79, & 80 (and dependent claims 75-76), the art of record does not teach or suggest the claimed elements of reference data storage in conjunction with the recited

Application/Control Number: 09/751,826

Art Unit: 2624

associated identification information and temperature measurement and storage.

Re claims 41, 60, 65, 69, 70, 71, & 72 (and dependent claims 61-64, 66-68, & 73-74), the art of record does not teach or suggest the claimed elements of determining the recited reference data correspondence and updating reference data in response to that determination.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen M. Brinich at 703-305-4390. The examiner can normally be reached on weekdays 7:00-4:30, alternate Fridays off.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Tech Center 2600 Customer Service center at 703-306-0377.

If attempts to contact the examiner and the Customer Service Center are unsuccessful, supervisor David Moore can be contacted at 703-308-7452.

Application/Control Number: 09/751,826

Art Unit: 2624

Page 4

the Tech Center 2600 official fax number, which is 703-872-9306.

Stephen M Brinich

Examiner

Faxes pertaining to this application should be directed to

Art Unit 2624

smb

May 13, 2004